

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-11 ISO-00 CIAE-00 DODE-00 PM-05 H-01
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ICA-11 ACDA-12 OMB-01 TRSE-00 AID-05 IO-13 /108 W
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R 021314Z JUN 78
FM AMEMBASSY VALLETTA
TO SECSTATE WASHDC 0000
INFO AMEMBASSY ALGIERS
AMEMBASSY BONN
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY ROME
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C O N F I D E N T I A L SECTION 01 OF 02 VALLETTA 01586

E.O. 11652: GDS
TAGS: PGOV, MT, IT, FR
SUBJECT: ITALIAN/FRENCH TALKS ON MALTA NEUTRALITY
- GUARANTEE

REF: ROME 9839

1. ROME'S REFTEL OF MAY 26 WAS NOT RECEIVED HERE UNTIL
AFTER A TALK I HAD WITH AMBASSADOR DA-RIN ON JUNE 1. HE
CONFIRMED THAT THE PARAGRAPH ON ACCESS TO MALTESE DOCKYARD
FACILITIES IN THE DRAFT MALTESE NEUTRALITY DECLARATION
DOES NOT HAVE THE PREFERRED LANGUAGE (STATE 126024)
EXPLICITLY EXCLUDING THE TWO SUPERPOWERS. INSTEAD THE
LANGUAGE IS ESSENTIALLY UNCHANGED FROM WHAT WAS PREVIOUSLY
CONTEMPLATED; I.E. MILITARY SHIPS OF COUNTRIES THAT BELONG
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TO MAJOR ALLIANCES WOULD BE FORBIDDEN ACCESS TO DOCKYARDS.

2. THERE APPEAR TO HAVE BEEN TWO PROBLEMS. FIRST, THE
LATENESS OF OUR REPRESENTATION. THE DEPARTMENT'S INSTRUC-
TION OF MAY 18 WAS COMMUNICATED TO DA-RIN (VALLETTA 1344)
ON THE MORNING OF MAY 18 WHEN IT WAS RECEIVED, BUT DA-RIN
TOLD US AT THE TIME THAT HE THOUGHT THAT OUR APPROACH WAS

A BIT LATE IN THE DAY. SECONDLY, MY CONVERSATION WITH DA-RIN ON JUNE 1 LEFT ME WITH SOME QUESTION WHETHER HE HAD CONVEYED OUR POSITION EXACTLY AS I HAD READ TO HIM FROM THE DEPARTMENT'S CABLE. HE SEEMED TO THINK THAT THE PRESENT LANGUAGE WAS RESPONSIVE TO OUR APPROACH. I SAID IT WAS IN THE SENSE THAT IT ASSURES EXCLUSION OF THE WARSAW PACT (ESPECIALLY SOVIET) FORCES FROM MALTESE FACILITIES BUT THAT OUR PREFERRED LANGUAGE WOULD BE SUCH AS WOULD NOT EXCLUDE SHIPS OF OUR OTHER NATO ALLIES. I NOTED THAT THE EFFECT OF PRESENT LANGUAGE WOULD SEEM TO LEAVE ONLY THE LIBYANS AND POSSIBLY THE ALGERIANS AS LIKELY USERS OF MALTESE DOCKYARD FACILITIES, SHOULD THEY CHOOSE TO DO SO, WHICH I WAS NOT SURE WAS NECESSARILY IN OUR INTERESTS.

3. DA-RIN READ TO ME THE PRESENT DRAFT OF THE ENTIRE DECLARATION BUT SUGGESTED THAT WE SEEK A COPY THROUGH THE FOREIGN OFFICE IN ROME RATHER THAN PUTTING THE RESPONSIBILITY ON HIM TO SHARE IT WITH US. (DA-RIN IS STILL GUN SHY BECAUSE OF THE FLAP OVER THE FELICE AFFAIR.) BEFORE WE REACT FURTHER TO THE DOCUMENT (SHOULD WE WANT TO DO SO) WE SUGGEST THAT EMBASSY ROME ASK FOR A COPY FROM THE ITALIANS. WE NOTE FROM REFTEL THAT ROME'S MFA CONTACT SUGGESTED WE SHOULD HAVE MORE CONFIDENCE ABOUT ITALIAN ABILITY TO PROTECT WESTERN INTERESTS. WE THINK HE MIGHT BE REMINDED THAT THAT CONFIDENCE SHOULD BE MUTUAL AND THAT WE ASSUME THE GOI UNDERSTANDS OUR INTEREST IN HAVING A CONFIDENTIAL

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COPY OF THE PRESENT DRAFT.

4. MEANWHILE WE NOTE SEVERAL OTHER POINTS CONCERNING THE DRAFT, WHICH WE EMPHASIZE ARE BASED ON WHAT WE HEARD ORALLY FROM DA-RIN. FIRST, WHILE THE ITALIANS MAY HAVE INSISTED THAT MALTESE NEUTRALITY NOT BE DEFINED ON THE BASIS OF NON-ALIGNMENT (PARA 2, REFTEL), THE DRAFT IS REplete WITH REFERENCES TO MALTA'S INTENTIONS "RIGOROUSLY" TO CONTINUE ADHERENCE TO PRINCIPLES OF NON-ALIGNMENT.

5. SECONDLY, THE TEXT NOW INCLUDES FAIRLY DETAILED PROCEDURE AS TO THE NATURE OF THE RESPONSE BY THE GUARANTOR POWERS IN THE EVENT OF EITHER AN ACTUAL ARMED PENETRATION OF MALTA OR A THREAT TO MALTESE NEUTRALITY. AS WE UNDERSTAND IT, IN THE EVENT OF A VIOLATION TO MALTESE NEUTRALITY OR A THREAT TO THAT NEUTRALITY, CONSULTATIONS AS TO A RESPONSE BY THE GUARANTORS TAKE PLACE IMMEDIATELY EITHER AT THE REQUEST OF THE GOM OR AT THE REQUEST OF ANY ONE OF THE GUARANTORS. DA-RIN SAID THERE WAS STILL BRACKETED LANGUAGE CONCERNING THE OBLIGATION ON THE PART OF THE GUARANTORS TO ACT IN ANY WAY BEYOND REFERENCE TO THE UNSC; THE MALTESE INSIST ON BINDING

LANGUAGE AND THE ITALIANS ARE NOT PREPARED TO GO BEYOND A WILLINGNESS TO CONSIDER TAKING EVERY NECESSARY MEASURE IN RESPONSE.

6. THIRDLY, LIMITATIONS ARE SPELLED OUT IN SOME DETAIL CONCERNING EXCEPTIONS TO LANGUAGE DENYING USE OF MALTESE MILITARY INSTALLATIONS TO FOREIGN MILITARY FORCES. IN THE CASE OF AN ARMED PENETRATION OF MALTA BY FOREIGN FORCES, AND WHEN THERE IS ACTION IN RESPONSE RECOMMENDED BY THE UNSC, FOREIGN MILITARY FORCES MAY USE MALTESE MILITARY INSTALLATIONS AT THE REQUEST OF THE GOM AND FOLLOWING SIMPLE CONSULTATION WITH THE GUARANTOR POWERS. IN THE CASE OF A THREAT TO MALTESE NEUTRALITY, FOREIGN MILITARY FORCES MAY USE LOCAL MILITARY INSTALLATIONS BUT ONLY
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FOLLOWING A REQUEST FROM THE GOVERNMENT OF MALTA AND WHEN AT LEAST TWO OF THE GUARANTORS ARE IN AGREEMENT WITH THE REQUEST, ONE OF WHICH MUST BE ARAB AND ONE EUROPEAN.

7. INCIDENTALLY, DA-RIN NOTES (AND WE AGREE) THAT THE PRESENT DECLARATION AS SUCH WOULD NOT APPEAR TO PRECLUDE NAVAL SHIP VISITS TO MALTESE HARBORS, ALTHOUGH THE MALTESE AND/OR THE GUARANTORS PRESUMABLY COULD QUALIFY AND QUANTIFY SUCH VISITS THROUGH LANGUAGE IN THAT PARAGRAPH WHICH PRECLUDES THE USE OF ANY "OTHER INSTALLATIONS" IN MALTA IN SUCH MANNER OR EXTENT AS WILL RESULT IN A "CONCENTRATION OF FOREIGN ARMED FORCES."

8. AT MALTESE INSISTENCE THE DRAFT IS PRESENTLY AN "EXPERTS PAPER" AND IS AD REFERENDUM TO CONFIDENTIAL

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GOVERNMENTS. CONFIRMING POINT MADE IN REFTEL, DA-RIN SAID IT WAS CLEAR THAT THE MALTESE HAVE NO INTENTION TO CONCUR FINALLY UNTIL THERE IS ALSO AGREEMENT ON THE FINANCIAL ASPECTS. DA-RIN EXPECTS NO MOVEMENT ON THIS UNTIL GERMANS TAKE SOME INITIATIVE, POSSIBLY DURING MID OR LATE JUNE GENSCHER VISIT TO ROME. REFERENCE IN REFTEL TO EC TAKING THE LEAD IS NEW TO US. LAINGEN

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